

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING
MARCH 18, 2008
RIO RICO, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on March 18, 2008, at the Esplendor Resort, located at 1069 Camino Caralampi, Rio Rico, AZ.

Members Present:

Sheriff Gary Butler, Chairman
Detective Lee Ann Dobbertin
Mr. Joseph Duarte
Chief Patricia Huntsman
Ms. Wendy Larsen
Chief Jerry Sheridan
Sergeant Robert Thompson
Director Roger Vanderpool
Sheriff Chris Vasquez

Members Absent:

Dr. Scott Decker
Attorney General Terry Goddard
Chief Jack Harris
Director Dora Schriro

Staff in Attendance:

Ted Brandon
Bob Forry
Tom Hammarstrom
Steve Jacobs
Lynn Larson
Gary Maschner
Lyle Mann
Curt Milam
Paul Orfe
Sandy Sierra
Maria Valtierra
Rick Watling

Assistant Attorney General
Diana Stabler

Guests in Attendance:

Robert DeVries, Kingman P.D.
Robby Robinson, Yuma P.D.
H.D. Zuniga, Nogales P.D.
William Ybarra, Nogales P.D.
Harry Markley, Phoenix P.D.
Deanna Coultas, Pima County S.O.
Terry Hollis, Somerton P.D.
Ralph McLaughlen, Goodyear P.D.
John L. Pickens, ASU P.D.
Sherry Kiyler, Chandler P.D.
Terry Cooper, ADOT
Mark Stribling, MCAO
Jan Madeya, ACIP
Anthony Daykin, U of A P.D.
Ken Kimmel, Sierra Vista P.D.
Ron Burns, Rio Salado College
John Harris, Sahuarita P.D.
Gail Kavanagh, Phoenix P.D.

A. CALL TO ORDER

Chairman Butler called the meeting to order at 1:00 p.m.

B. INTRODUCTIONS & RECOGNITION

Executive Director Hammarstrom stated a plaque presentation will be made at a later date to a former Board member.

C. CONSENT AGENDA

The Consent Agenda was approved unanimously, motion made by Director Vanderpool, seconded by Chief Huntsman.

1. Minutes of the Regular Board meeting, held on January 16, 2008, were approved as written.
2. Minutes of the Charging Board meeting, held on February 20, 2008, were approved as written.
3. The next scheduled Charging Board meeting is Wednesday, April 16, 2008, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

The next scheduled Regular Board meeting is Wednesday, May 21, 2008, at 10:00 a.m. at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

4. Ministerial Actions:
 - a. Certification Waivers: LIST ATTACHED TO AGENDA PACKET.
 - b. Instructor Certification Renewals: LIST ATTACHED TO AGENDA PACKET.
 - c. Training Program Confirmations: LIST ATTACHED TO AGENDA PACKET.
5. Decertification Case Status Report - As of January 31, 2008, the Compliance and Standards Unit had a caseload of 134 active cases. 7 cases are ready for initial presentation; 46 cases need further investigation; 12 cases are pending service of or response to a Notice of Complaint or Decision; 5 cases are pending hearing; 11 cases are ready for final action, and 53 cases are waiting for outside action, i.e., a criminal trial or civil service hearing.
6. Income and Expense Statement – January 2008

Funds as of January 1, 2008	\$ 1,184,953.50
CJEF Revenue	615,309.81
Expenditures/Encumbrances	(614,393.06)
Balance for January 31, 2008	\$ 1,185,870.25

D. REVIEW OF 2008 COTA CURRICULUM

The Correctional Officer Training Academy (COTA) submitted for review a 2008 revision of the COTA 360 hour Basic Correctional Officer Curriculum as required by AZ POST Rule R13-4-205.

Chief Sheridan made a motion to approve the 2008 Revision of the COTA 360 Hour Basic Correctional Officer Curriculum as presented by COTA for instruction in the Basic Correctional Officer Training Academy, seconded by Sheriff Vasquez, motion carried unanimously.

E. YUMA DRIVING TRACK GRANT

AZ POST, in conjunction with the City of Yuma, will fund the development of a law enforcement training facility in the Yuma area. Funding for this project has been authorized in this fiscal year's budget. AZ POST will provide a \$450,000 grant to the City of Yuma in order to go forward with this project.

F. LEGISLATIVE UPDATE

Deputy Director Mann informed the Board about legislation that would be of interest to the Board.

G. SUMMARY OF CURRENT EVENTS

Director Hammarstrom informed the Board that Mr. Joseph Duarte was reappointed to another term. Dr. Scott Decker, a professor at Arizona State University, was appointed to the Board to replace Dr. Michael Polakowski.

H. COMMITTEE UPDATE

Chief Robert DeVries informed the Board that the Rules Committee met prior to the Board meeting and discussed and made recommendations on two very important proposed rule changes. The first deals with the use of anabolic steroids and the second deals with background requirements for retiring peace officers changing agencies. The Committee voted to bring both rule changes to the Board for its approval.

I. REPORTS**1. Basic Training**

ALEA – Commander Markley reported they currently have six classes representing 24 agencies with 273 recruits. They will start a new class in April and this will bring the class total to 7, this is a record for ALEA.

COTA – Executive Director Hammarstrom provided the report for COTA. They have graduated 132 cadets since their last report. They currently have four classes in session with 80 cadets. They have five agencies attending their canine academy.

Pima County S.O. – Lt. Deanna Coultas reported they recently graduated a class with 34 recruits all from the Pima County Sheriff's Office. Another class will start April 7, 2008, with approximately 41 recruits, all from the Pima County Sheriff's Department. Their September academy will include recruits from the Oro Valley Police Department.

WALETA – This is a new academy. Chief Robert DeVries from the Kingman Police Department reported they recently graduated 7 recruits. They just started their second class with 22 recruits representing 8 agencies, all agencies represented are from Mohave and La Paz counties.

J. FINAL ACTION CASES:**Case #1 – Robert N. Welch – Phoenix Police Department**

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Sheridan, motion carried unanimously.

Case #2 – Jeffrey A. Beaulieu – Mesa Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Sheriff Vasquez, motion carried unanimously.

Case #3 – Dustin J. Delucchi – Surprise Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Mr. Duarte, motion carried unanimously.

Case #4 – David R. Larimer – Tombstone Marshal's Office

The Board considered comments from Assistant A. G. Diana Stabler and David Larimer. Chief Sheridan made a motion to adopt the Consent Agreement Order and Decision and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #5 – Daiv A. McBride – Yuma County Sheriff's Office

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Chief Sheridan, motion carried unanimously.

Case #6 – Robert F. McGowan – Glendale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #7 – Rayneil C. Kelly – Navajo Department of Public Safety

Mr. Duarte recused himself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Sheriff Vasquez, motion carried unanimously.

Case #8 – Richard Baker – Phoenix Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the signed Findings of Fact and Conclusions of Law for voluntary relinquishment of peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

Case #9 – Samuel D. Douglas – Phoenix Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Director Vanderpool made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Mr. Duarte, motion carried unanimously.

K. NEW CHARGING CASES:Case #1 – Adam G. Charkosky – Pima County Sheriff's Department

Detective Dobbertin recused herself from this case. Director Vanderpool made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Huntsman, motion carried unanimously.

Case #2 – Juan J. Flowers – Maricopa Police Department

Chief Huntsman made a motion to close this case with **No Action with Agency Discretion**, seconded by Ms. Larsen, motion carried unanimously.

Case #3 – Christopher A. Kawa – Phoenix Police Department

Sheriff Vasquez made a motion to close this case with **No Action with Agency Discretion**, seconded by Director Vanderpool, motion carried unanimously.

Case #4 – Michael T. Morton – Phoenix Police Department

Chief Huntsman made a motion to close this case with **No Action with Agency Discretion**, seconded by Sheriff Vasquez, motion carried unanimously.

Case #5 – Charles P. Schoville - Tempe Police Department

Mr. Duarte and Director Vanderpool recused themselves from this case. Chief Sheridan made a motion to close this case with **No Action**, seconded by Chief Huntsman, motion carried unanimously.

Case #6 – Matthew Schwier – Phoenix Police Department

Chief Sheridan made a motion to close this case with **No Action**, seconded by Chief Huntsman, motion carried unanimously.

Case #7 – Jody A. Tapia – Springerville Police Department

Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Detective Dobbertin, motion carried unanimously.

Case #8 – Charles E. Winfree – Pinal County Sheriff's Office

Sheriff Vasquez and Director Vanderpool recused themselves from this case. Chief Huntsman made a motion to close this case with **No Action with Agency Discretion**, seconded by Chief Sheridan, motion carried unanimously.

Case #9 – Jack E. Wixon – Tucson Police Department

Chief Sheridan made a motion to close this case with **No Action**, seconded by Chief Huntsman, motion carried unanimously.

Case #10 – Jarvis F. Russette – Navajo Department of Law Enforcement

Director Vanderpool made a motion to **Initiate Proceedings**, seconded by Sheriff Vasquez, motion carried unanimously.

L. CALL TO THE PUBLIC

No one wished to address the Board during the call to the public.

M. ADJOURN

Chairman Butler adjourned the meeting at 2:45 p.m.

Dated: March 25, 2008

Sandra L. Sierra, Recording Secretary

Minutes approved as written.

Dated: May 21, 2008

Gary Butler, Chairman